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FILED
DISTRICT COURT OF GUAM

AUG 18 2008

JEANNE G. QUINATA
Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM

08-00043

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NATARAJAN GURUMOORTHY,

Defendant

) CRIMINAL CASE NO. _____

) **COMPLAINT**

) **POSSESSION OF MORE THAN**
) **FIFTEEN UNAUTHORIZED**
) **ACCESS DEVICES**
) [18 U.S.C. § 1029(a)(3)]

) **POSSESSION OF DEVICE**
) **MAKING EQUIPMENT**
) [18 U.S.C. § 1029(a)(4)]

THE UNDERSIGNED COMPLAINANT CHARGES UPON INFORMATION AND BELIEF
THAT:

COUNT - I

On or about August 15, 2008, in the District of Guam and elsewhere, the defendant herein, NATARAJAN GURUMOORTHY, did knowingly and with the intent to defraud possess fifteen or more counterfeit and unauthorized access devices, namely sixty (60) credit card numbers and associated personal identification numbers, and such conduct having an affect on interstate and foreign commerce, in violation of Title 18, United States Code, Section 1029(a)(3).

COUNT - II

On or about August 15, 2008, in the District of Guam and elsewhere, the defendant herein, NATARAJAN GURUMOORTHY, did knowingly and with the intent to defraud, have control, custody of, and possession of device making equipment, namely, one Toshiba laptop computer serial number 66113488W and one Maxpos reader/encoder, and said control, custody and possession affected interstate and foreign commerce, in violation of Title 18, United States Code, Section 1029(a)(4).

COMPLAINANT FURTHER STATES:

1. I, Virgil D. Reichle Jr., being first duly sworn on oath, swear and affirm as follows:

2. Your affiant is a Special Agent of the United States Secret Service, and has been so employed for over nine years. Prior to this, I was employed as a Colorado State Trooper for five years. During my training at the United States Secret Service Training Academy in Beltsville, Maryland, I received three weeks of instruction, both in the classroom and during practical exercises, in the recognition of fraudulent identity documents and counterfeit negotiable instruments.

3. In my current daily activities, I am responsible for investigating individuals involved in the possession, passing and manufacture of counterfeit negotiable instruments and fraudulent identity documents. Approximately 50 percent of my current caseload is devoted to investigating such crimes.

4. This affidavit is made in support of a complaint and an application for an arrest warrant for **Natarajan Gurumoorthy**, for violating the statutory provisions set forth under Title 18, United States Code, Section 1029 (a)(3), (Access Device Fraud), knowingly and with intent to defraud, possesses fifteen or more devices which are counterfeit or unauthorized access devices. In addition, Title 18, United States Code, Section 1029 (a)(4), (Access Device Fraud), knowingly and with intent to defraud, produces, traffics in, has control or custody of, or possesses device making equipment.

5. The information contained within this affidavit is based upon my personal observations,

1 training, and on information related to me by other law enforcement officers and investigators as
2 set forth more fully herein.

3 6. On August 14, 2008, I received a telephone call from Resident Agent in Charge (RAIC)
4 Robert Robertson, of the U.S. Immigrations and Customs Enforcement (ICE), Sirena Plaza, Suite
5 100, 108 Herman Cortez Avenue, Hagatna, GU 96910. As a result, RAIC Robertson stated that
6 he received a telephone call from Guam Customs regarding items of contraband located in a
7 Federal Express (FedEx) parcel, tracking number 8540 6750 8636, that was intercepted pursuant
8 to standard operating procedures.

9 7. Continuing this same date, various law enforcement representatives from Guam Customs
10 and I, met at the ICE Office to examine the contents of the parcel in greater detail. The shipping
11 label affixed to the parcel indicated that it was sent by Ganesh of Johor, Malaysia on August 11,
12 2008. The shipping label had several misspellings. However, the label indicated that the intended
13 recipient was Dr. Ravi, Harmon Loop Hotel, 1900 Harmon Loop Road, Suite 107, Dededo, GU
14 96929. In addition, the label included a local telephone number, 671/987-6743. The contents of
15 the parcel included sixty counterfeit credit cards. The cards were noted as being obvious
16 counterfeits upon examining them under 8X magnification and an ultra violet light source. Most
17 notable were the lack of security features. In addition, I electronically analyzed the contents of
18 the magnetic stripe with a card reader and noted that the credit card account numbers encoded on
19 the magnetic stripe did not match the embossing on the cards. Lastly, it was noted that the
20 counterfeit cards did not contain embossing pursuant to names and expiration dates. Other items
21 included in the parcel were a Toshiba laptop computer serial number 66113488W, Maxpos
22 reader/encoder along with various power cord adapters. Upon conclusion of the meeting, it was
23 agreed that representatives from ICE and Guam Customs would initiate a surveillance operation
24 of the Harmon Loop Hotel and arrange for a controlled delivery of the FedEx parcel, tracking
25 number 8540 6750 8636 on August 15, 2008. In addition, we concluded that the triggering events
26 to execute the search warrant would include a diligent effort to establish intent to defraud and
27
28

identification of any and all co-conspirators.

8. Continuing this same date, I contacted U.S. Secret Service, Investigative Support Division (ISD) and requested a database search pursuant to the sixty credit card accounts that I electronically retrieved from the encoded magnetic stripes. As a result, it was ascertained that all of the prospective victim banks are located in the United Kingdom. The various banks at risk include the Bank of Scotland PLC, Barclays Bank PLC, HSBC Bank PLC, Alliance & Leicester PLC, MBNA Europe Bank Limited, MBNA Europe Bank Limited, The Governor & Company of the Bank of Scotland, Lloyds TSB Bank PLC and Vanquis Bank Limited.

9. Continuing this same date, ICE served an administrative subpoena on IT&E, 1010 S. Marine Drive, Tamuning, GU 96911 pursuant to subscriber information on telephone number 671/987-6743. As a result, IT&E reported that on August 8, 2008, a Nokia cell phone and SIM card was purchased by **Natarajan Gurumoorthy** pursuant to the aforementioned telephone number.

10. Continuing this same date, ICE served an administrative subpoena on the Harmon Loop Hotel for a comprehensive list of guests registered. As a result, **Natarajan Gurumoorthy** was identified as a guest staying in room number 251.

11. Continuing this same date, ICE conducted numerous database queries and discovered that **Natarajan Gurumoorthy** arrived in Guam on August 8, 2008 via Continental Airlines flight number 901. The aforementioned flight originated in Bali, Indonesia. Additional information included **Natarajan Gurumoorthy's** Date of Birth (DOB) as XX-XX-1967, and was affiliated with Malaysian passport number A17838140. Lastly, **Natarajan Gurumoorthy's** itinerary indicated that he is scheduled to depart Guam on Sunday, August 17, 2008 at 6:20 AM on Continental Airlines flight #900, en-route Bali, Indonesia.

12. On August 15, 2008, RAIC Robert Robertson arranged for the staffing of several surveillance teams to monitor the activities of suspect **Natarajan Gurumoorthy**, who was residing at the Harmon Loop Hotel, room #251. At approximately 2:00 PM, ICE Special Agent Erwin Fejeran while posing as a Federal Express Delivery Driver, telephonically contacted

1 suspect **Natarajan Gurumoorthy**, aka, Dr. Ravi regarding the delivery of the parcel, tracking
2 number 8540 6750 8636. As a result, the aforementioned suspect answered the phone call and
3 identified himself as Dr. Ravi. SA Fejeran stated that he was en route and would attempt to
4 deliver the package within the hour. At approximately 2:30 PM, SA Fejeran personally delivered
5 the parcel to **Natarajan Gurumoorthy**, aka Dr. Ravi at the Harmon Loop Hotel, room #251.

6 13. Continuing this same date, at approximately 6:30 PM, members of surveillance team #2
7 observed suspect **Natarajan Gurumoorthy** exit room #251 and proceeded to walk to Bank of
8 Guam, 614 Harmon Loop Road, Dededo, GU 96929. At approximately 6:35 PM, it was
9 observed that suspect **Natarajan Gurumoorthy** made several unsuccessful attempts with
10 various cards/access devices to obtain cash from the Automatic Teller Machine (ATM). Suspect
11 **Natarajan Gurumoorthy** then proceeded to walk to First Hawaiian Bank, 562 Harmon Loop
12 Road, Dededo, GU 96929. At approximately 6:40 PM, Investigator Chris Sablan of surveillance
13 team #2 observed suspect **Natarajan Gurumoorthy** make several unsuccessful attempts with
14 various cards/access devices to obtain cash from the ATM. Suspect **Natarajan Gurumoorthy**
15 then proceeded to walk to Community First Guam Federal Credit Union, 562 Harmon Loop
16 Road, Compared Mall, Suite A1/A2, Dededo, GU 96929. At approximately 6:50 PM, it
17 was observed that suspect **Natarajan Gurumoorthy** made several unsuccessful attempts with
18 various cards/access devices to obtain cash from the ATM. Suspect **Natarajan Gurumoorthy**
19 then proceeded to walk back to the Harmon Loop Hotel, room #251.

20 14. Continuing this same date, at approximately 10:55 PM, members of surveillance team #2
21 observed suspect **Natarajan Gurumoorthy** exit room #251 and proceeded to walk to First
22 Hawaiian Bank, 562 Harmon Loop Road, Dededo, GU 96929. Members of surveillance team #2,
23 Investigators Chris Sablan and Franklin Taitague observed suspect make numerous unsuccessful
24 attempts with various cards/access devices to obtain cash from the ATM. Suspect **Natarajan**
25 **Gurumoorthy** then proceeded to walk to Bank of Guam, 614 Harmon Loop Road, Dededo, GU
26 96929. At approximately 11:45 PM it was noted that suspect **Natarajan Gurumoorthy** made
27 several unsuccessful attempts with various cards/access devices to obtain cash from the ATM.

1 Suspect **Natarajan Gurumoorthy** then proceeded to walk back to the Harmon Loop Hotel,
2 room #251.

3 15. On August 16, 2008, RAIC William Chan, U.S. Secret Service and I met up with RAIC
4 Robert Robertson, ICE as well as various investigative representatives from Guam Customs in
5 the parking lot located behind the Bank of Guam, 614 Harmon Loop Road, Dededo, GU 96929.
6 As a result, it was concluded that sufficient evidence had been established that would indicate
7 suspect **Natarajan Gurumoorthy's** intent to defraud. Therefore, a decision was made that the
8 anticipatory search warrant filed on August 15, 2008, case number 08-00023, would be executed
9 forthwith.

10 16. Continuing this same date, at approximately 7:30 AM, various members of surveillance
11 team #1, knocked on the door of room #251 and subsequently arrested suspect **Natarajan**
12 **Gurumoorthy** without incident. Suspect **Natarajan Gurumoorthy** was then turned over to
13 Investigator Peter Ungacta, Guam Customs and I for subsequent processing in room #250.
14 Meanwhile, ICE SA Erwin Fejeran and designees from surveillance team #1 assisted in
15 processing evidence and personal property located in room #251.

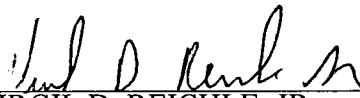
16 17. Continuing this same date, I advised **Natarajan Gurumoorthy** of his constitutional
17 rights. As a result, **Natarajan Gurumoorthy** acknowledged that he understood his rights and
18 elected to waive his right to remain silent and agreed to be interviewed without an attorney
19 present. Upon conducting the interview, **Natarajan Gurumoorthy** admitted that he intended to
20 commit fraud by utilizing the aforementioned counterfeit credit cards/access devices in a scheme
21 devised to obtain cash from various bank ATM's while visiting Guam. In addition, he stated that
22 he was working alone. **Natarajan Gurumoorthy** stated that he purchased the counterfeit credit
23 cards for 20 Ringit Malaysia (RM) currency, each, which is approximately \$6.50 U.S. currency.
24 In addition, he subsequently provided me with a copy of recent electronic correspondence from
25 his personal email account identified as drguru08yahoo.co.uk. Upon examining the email
26 correspondence, dated August 15, 2008, 7:02 PM, I identified an additional twenty-two
27 compromised credit card numbers along with corresponding Personal Identification Numbers
28

(PIN's). The source of compromised data appears to be from Vasi Mosi guru_a9@yahoo.co.uk.


In addition, **Natarajan Gurumoorthy** stated that he knows the source only as Chua, Last Name Unknown (LNU), telephone number 016 727-6396. In conclusion, he admitted that he intended to re-encode his counterfeit credit card stock with the newly acquired numbers and re-attempt to exploit the information by obtaining cash from various bank ATM's on Guam.

19. Based on the foregoing, I have probable cause to believe that **Natarajan Gurumoorthy** has committed the offenses of possession of more than fifteen (15) unauthorized access devices and possession of device making equipment in violation of Title 18, United States Code, Sections 1029(a)(3) and 1029(a)(4)..

FURTHER AFFIANT SAYETH NAUGHT.


VIRGIL D. REICHLE, JR.
Special Agent
U.S. Secret Service

SUBSCRIBED AND SWORN TO before me on this 18th day of August 2008.


JOAQUIN V.E. MANIBUSAN, JR.
Magistrate Judge
District Court of Guam